

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

Emily DeRogatis,

Plaintiff(s),

-v-

Board of Trustees of the Welfare Fund of the
International Union of Operating Engineers Local 15,
15A, 15C & 15D, AFL-CIO, et al.,

Defendant(s).

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 1/17/2020
14-CV-8863 (CM)
<u>ORDER OF DISMISSAL</u>

COLLEEN McMAHON, Chief United States District Judge:

The Court having been advised (Docket No. 101) that all claims asserted herein have been settled in principle, it is ORDERED that the above-entitled action be and is hereby dismissed and discontinued without costs, and without prejudice to the right to reopen the action within sixty days of the date of this Order if the settlement is not consummated.

To be clear, any application to reopen must be filed within (60) sixty days of this Order; any application to reopen filed thereafter may be denied solely on that basis. Further, if the parties wish for the Court to retain jurisdiction for the purposes of enforcing any settlement agreement, they must submit the settlement agreement to the Court within the same (60) sixty-day period to be "so ordered" by the Court. Per the Court's Individual Rules and Practices for Civil Cases, unless the Court orders otherwise, the Court will not retain jurisdiction to enforce a settlement agreement unless it is made part of the public record.

Any pending motions are moot. All conferences are vacated. The Clerk of Court is directed to close the case and to mail Plaintiff a copy of this Order.

SO ORDERED:



Chief United States District Judge

Dated: January 17, 2020
New York, New York